

REMARKS

After entry of this amendment, claims 1-27 will be pending. Applicant requests reconsideration in view of the remarks set forth below.

Rejection of claims 1-20 under 35 U.S.C. §102(b)

The Examiner rejected claims 1-20 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,537,465 to Bellafiore. The Examiner states that Fig 1; Col 2, lines 51-60 and Col. 4, lines 7-49, discloses a second communication link between the local loop generation equipment and the central office. This rejection is respectfully traversed.

Contrary to the Examiner's position, the portions of Bellafiore cited to by the Examiner do not disclose a communication link between the local loop generation equipment and the central office. Instead, Bellafiore discloses its local loop generation equipment, an intercom system, creating a local loop directly with the telephonic device. The intercom circuit does not create a local loop with the central office (CO) to then use a first local loop between the CO and the telephonic device to effectuate intercom communication with the telephonic device. For example, Col 2, lines 42-60 (which includes lines 51-60 cited to by the Examiner) states:

“a single circuit board 10 installed, for example, [in] telephone IA2...Connection to the Central Office (CO) line is made via any registered telephone jack terminal 18 (i.e. RJ21, 71C, etc.) as can the connection to an alternative PBX/ICM line 20 and an auxiliary line 22. Switching between the CO line and the alternative lines is effected by a series of relays K1 through K5, responsive to specific tone dialing by the user through the telephone set in accordance with the present invention. For example, by dialing the asterisk (*), which would connect the telephone 16 to either a PBX circuit (individual talkpath) or an Intercom circuit (common talkpath). The type of circuit selected is made via Berg jump connectors and is an installer option.”

As can be seen, the phone in Bellafiore uses a circuit board 10 installed in the telephonic device, which is able to select between a PBX circuit (talkpath circuit) and an intercom circuit. The Bellafiore device selects among two parallel paths, both of which are connected directly to the telephonic device. The intercom circuit is not required to first go through the CO before being permitted to interrupt the phone unit and, therefore, there is no local loop created between the CO and the intercom circuit. This is a significant distinguishing feature between the present invention and the cited art.

In contrast to the cited art, the present invention purposely avoids this parallel communication scheme with the telephonic device. This is clearly illustrated in the application by reference to the prior art device illustrated in Figure 1, which illustrates a situation where a local loop can be created with the lobby interface device 111 and the CO 101. The present invention, as claimed, distinguishes from the prior art by providing a first loop between the CO and the customer premises telephonic device and a second loop between the local loop generation circuit and the CO. As stated at the bottom of page 7 of the specification, the present invention does not create a local loop between the lobby interface and the housing unit. This allows the CO to receive the signal from the interface unit first, and then decide whether to interrupt the housing unit. Therefore, the housing unit is not automatically interrupted. For the reasons set forth above, Applicants respectfully request that this rejection be withdrawn and submit that Claims 1, 19 and 20 and all claims depending therefrom are in a condition for allowance.

Rejection of claims 21, 24 and 27 under 35 U.S.C. §103

The Examiner rejected claims 21, 24 and 27 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,537,465 to Bellafiore. The Examiner states that several elements of the claim are notorious and well known, without providing any documentary evidence whatsoever. Applicant traverses this official notice by the Examiner in accordance with MPEP 2144.03C and requests the Examiner to provide supporting documentary evidence.

Additionally, Claims 21, 24 and 27 recite the use of a phone dialing mechanism to place a telephone call. This implicitly includes the feature of calling a CO to establish a telephone call with a CO to establish a communication link between the visitor and the customer premises. By using a telephone call to establish this link, the claimed invention excludes any local loop created between the visitor and the customer premises. Instead, as claimed, the telephone call creates a communication loop between the visitor and the CO, and if accepted, a second loop is created between the CO and the customer premises. As discussed above, Bellafiore teaches a direct local loop between the visitor and the customer premises, thereby not teaching the elements of the invention claimed in Claims 21, 24 and 27. Accordingly, for the reasons set forth above, Applicant respectfully submits that Claims 21, 24 and 27 are in condition for allowance.

Lastly, assuming *arguendo* that the Examiner's recited scenario exists in the prior art, this scenario still does not meet the limitations of the claimed invention. Specifically, the recited scenario does not present a situation where the voice commands allow the user of the telephonic device to establish a communication path between the visitor and the customer premises. Accordingly, for the reasons set forth above, Applicant respectfully submits that Claims 21, 24 and 27 and all claims depending therefrom are in a condition for allowance.

Rejection of claims 22-23 and 25-26 under 35 U.S.C. §103

The Examiner rejected claims 22-23 and 25-26 under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,537,465 to Bellafiore in view of U.S. Patent No. 5,428,388 to Von Bauer et al. For the reasons set forth above, Applicant submits that claims 22-23 and 25-26 are in a condition for allowance.

CONCLUSION

For at least these reasons, this application is now in condition for allowance. It is believed that any additional fees due with respect to this paper have already been identified in any transmittal accompanying this paper.

However, if any additional fees are required in connection with the filing of this paper that are not identified in any accompanying transmittal, permission is given to charge account number 18-0013 in the name of Rader, Fishman and Grauer PLLC.

If the Examiner has any questions or comments, she is kindly urged to call the undersigned to facilitate prosecution.

Respectfully submitted,



Date: October 16, 2003

Glenn E. Forbis, Reg. No. 40,610
Michael R. Bascober, Reg. No. 44,525
RADER, FISHMAN AND GRAUER PLLC
39533 Woodward Ave., Suite 140
Bloomfield Hills, Michigan 48304
(248) 594-0650
Customer No. 32127
Attorneys for Applicants